COMMITTEE REPORT

MR. PRESIDENT:

   The Senate Committee on Health and Provider Services, to which was referred Senate Bill No. 312, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

1   Page 1, between the enacting clause and line 1, begin a new
2   paragraph and insert:
3   "SECTION 1. IC 5-10-8-10, AS ADDED BY P.L.91-1999,
4   SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5   JULY 1, 2001]: Sec. 10. **(a)** The state shall cover the **testing required**
6   **under IC 16-41-6-4 and the** examinations required under
7   IC 16-41-17-2 under a:
8   (1) self-insurance program established or maintained under
9   section 7(b) of this chapter to provide group health coverage; and
10   (2) contract entered into or renewed under section 7(c) of this
11   chapter to provide health services through a prepaid health care
12   delivery plan.
13   **(b) Payment to a hospital for a test required under IC 16-41-6-4**
14   **must be in an amount equal to the hospital's actual cost of**
15   **performing the test.**
16   SECTION 2. IC 12-15-15-4.5 IS ADDED TO THE INDIANA
17   CODE AS A **NEW** SECTION TO READ AS FOLLOWS
18   [EFFECTIVE JULY 1, 2001]: **Sec. 4.5. Payment to a hospital for a**
19   **test required under IC 16-41-6-4 must be in an amount equal to the**
20   **hospital's actual cost of performing the test.**".

1   Page 2, between lines 18 and 19, begin a new paragraph and insert:

2   "SECTION 6. IC 16-41-6-2.5 IS AMENDED TO READ AS

3 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2.5. (a) As used in this

4 section, "prenatal care provider" means:

5   (1) a physician licensed under IC 25-22.5;

6   (2) a registered nurse licensed under IC 25-23;

7   (3) a licensed practical nurse licensed under IC 25-23; or

8   (4) an advanced practice nurse licensed under IC 25-23;

9 who provides prenatal care within the scope of the provider's license.

10   (b) The prenatal care provider primarily responsible for providing

11 prenatal care to a pregnant patient shall offer human immunodeficiency

12 virus (HIV) information and counseling to the pregnant patient. The

13 information and counseling must include the following:

14   (1) A description of the methods of HIV transmission.

15   (2) A discussion of risk reduction behavior modifications,

16   including methods to reduce the risk of perinatal transmission.

17   (3) Referral information to other HIV prevention and

18   psychosocial services, if appropriate, including anonymous and

19   confidential test sites approved by the state department.

20   (c) The prenatal care provider primarily responsible for providing

21 prenatal care to a pregnant patient shall offer an HIV test to the patient

22 unless:

23   (1) a positive HIV test result is already documented in the

24   patient's medical record; or

25   (2) the patient has acquired immune deficiency syndrome (AIDS),

26   as diagnosed by a physician.

27   (d) In offering an HIV test under subsection (c), the prenatal care

28 provider shall discuss the following with the pregnant patient:

29   (1) The purpose of the test.

30   (2) The risks and benefits of the test.

31   (3) The voluntary nature of the test.

32   (e) If the pregnant patient voluntarily consents to HIV testing, the

33 prenatal care provider shall arrange for HIV testing directly or by

34 referral, including referral to anonymous and confidential test sites

35 approved by the state department.

36   (f) **(c)** The prenatal care provider primarily responsible for

37 providing prenatal care to a pregnant patient shall document in the

38 patient's medical record that the prenatal care provider offered the

1   following to the patient:
2   (1) HIV information and counseling **to the patient.**
3   (2) An HIV test.
4   (g) This section shall not be construed to require any of the
5   following:
6   (1) HIV testing.
7   (2) The documentation or disclosure of whether the patient had an
8   HIV test.
9   (3) The result of an HIV test, except to the patient.".
10   Page 3, between lines 18 and 19, begin a new paragraph and insert:
11   **"(h) The results of a test performed under this section are**
12   **confidential.".**
13   Page 3, between lines 34 and 35, begin a new paragraph and insert:
14   **"(e) The confidentiality provisions of IC 16-41-2-3 apply to this**
15   **section.**
16   **(f) The results of a test performed under this section are**
17   **confidential.".**
18   Page 4, between lines 10 and 11, begin a new paragraph and insert:
19   **"(e) The confidentiality provisions of IC 16-41-2-3 apply to this**
20   **section.**
21   **(f) The results of a test performed under this section are**
22   **confidential.".**
23   Page 4, between lines 28 and 29, begin a new paragraph and insert:
24   **"(e) The confidentiality provisions of IC 16-41-2-3 apply to this**
25   **section.**
26   **(f) The results of a test performed under this section are**
27   **confidential.".**
28   Page 5, line 7, after "that" insert **"are based on the most current**
29   **information available from the federal Centers for Disease Control**
30   **(CDC) and that".**
31   Page 5, delete lines 16 and 17, begin a new paragraph and insert:
32   "SECTION 13. IC 27-8-24-4, AS AMENDED BY P.L.91-1999,
33   SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34   JULY 1, 2001]: Sec. 4. **(a)** Except as provided in section 5 of this
35   chapter, every policy or group contract that provides maternity benefits
36   must provide minimum benefits to a mother and her newborn child that
37   cover:
38   (1) a minimum length of postpartum stay at a hospital licensed

1 under IC 16-21 that is consistent with the minimum postpartum
2 hospital stay recommended by the American Academy of
3 Pediatrics and the American College of Obstetricians and
4 Gynecologists in their Guidelines for Perinatal Care; ~~and~~
5 (2) the examinations to the newborn child required under
6 IC 16-41-17-2; **and**
7 **(3) the testing of the newborn child required under**
8 **IC 16-41-6-4.**
9 **(b) Payment to a hospital for a test required under IC 16-41-6-4**
10 **must be in an amount equal to the hospital's actual cost of**
11 **performing the test.**".
12 Renumber all SECTIONS consecutively.

 (Reference is to SB 312 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 3.

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Miller   **Chairperson**